

FILED - USDC - NH
2024 DEC 27 AM 11:52

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

Case No. 1:24-cv-00331-LM-TSM

Frank Staples and Kathleen Bussiere, Plaintiffs

v.

Governor Chris Sununu, et al., Defendants

**PLAINTIFFS' OBJECTION TO DEFENDANTS' MOTION FOR UNWARRANTED EXTENSION
OF TIME TO RESPOND TO COMPLAINT**

NOW COME the Plaintiffs, Frank Staples and Kathleen Bussiere, and respectfully object to the Defendants' "Motion To Set Single Deadline..." (Doc. [8]). As grounds for this objection, Plaintiffs state as follows:

1. **Service Completed:** On December 27, 2024, Plaintiffs served the Attorney General of New Hampshire at 1 Granite Place upon Attorney Christopher G. Bond, who accepted service on behalf of Defendant John Formella, Defendant Charles O'Leary, and the 72 unnamed law enforcement officers ("John Doe Law Enforcement Defendants"). Proof of service containing three proof of service forms are attached to this filing as Exhibit A as pages 2, 4, and 6 of Document #3.

2. **Moot Request for Waiver:** The Defendants' request to waive service, as stated in prior filings (Docs. 6 and 7), is now moot. Moreover, plaintiffs did not request waivers of service and proceeded with in-hand service as permitted by Federal Rule of Civil Procedure 4.

3. **Contradictory Statements:** In Document 6 and 7, Attorney Garland falsely represented to the Court that he had received a request to waive service of summons. This is factually inaccurate, as neither Plaintiff issued such a request and no such request exists in the court record. Furthermore, Document 8 contradicts the prior assertions of Document 6 and 7, acknowledging that service had been completed upon Sununu. This inconsistency reflects a clear attempt to delay responding to the Complaint and contravene the court rules.

4. **Timeliness of Service and Response Deadline:** Defendant Governor Sununu was served on December 4, 2024, establishing a response deadline of December 24, 2024. No timely response or valid justification for an extension has been provided.

5. **Lack of Legitimate Basis for Extension:** Defendants' motion fails to cite any substantive reason necessitating additional time beyond a general request. Mere convenience or strategic delay does not satisfy the standards for granting such motions.

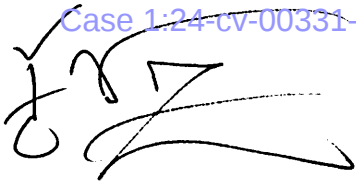
6. **Plaintiffs' Have Now Served the Remaining Defendants:** Plaintiffs affirm that as of December 27, 2024, all named Defendants have been served. Defendants now have ample time to respond within the statutory deadlines and should not be afforded further extensions. Particularly under a waiver of service standard that was never initiated nor agreed upon by Plaintiffs, but rather steamrolled upon us as if we have no choice.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Honorable Court:

1. Deny Defendants' Motion for Extension of Time to Respond to Complaint;
2. Enter default against Defendant Governor Chris Sununu for failure to respond by December 24, 2024;
3. Order Defendants Formella, O'Leary, and the John Doe Law Enforcement Defendants to respond within the applicable statutory deadline of 21 days from receipt of the summons and complaint; and
4. Grant such further relief as this Court deems just and equitable.

Respectfully submitted,



Frank Staples
332 Merrimack Street
Manchester, NH 03103
(603) 722-5408
Absolutedefiance@protonmail.com



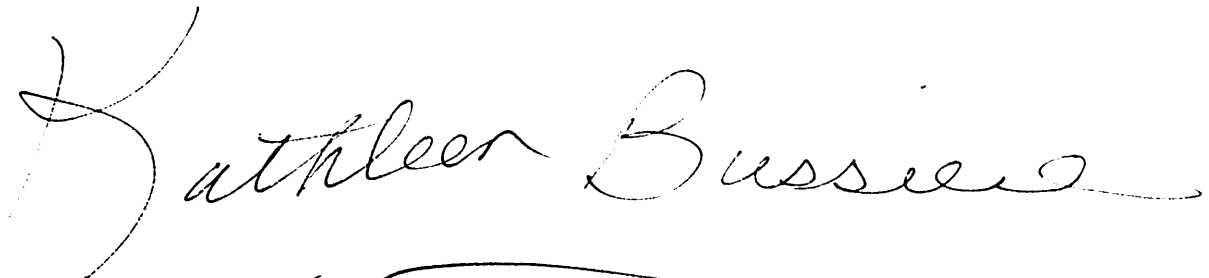
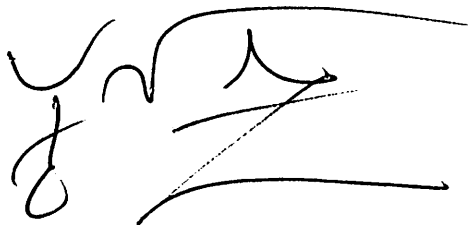
Kathleen Bussiere
178 S. Main Street, Apt 3
Newton, NH 03858
(603) 770-2015
kaffatina@yahoo.com

Date: December 27, 2024

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Objection has been served via the Court's CM/ECF system on all counsel of record and via certified mail to any unregistered parties.

[Your Signature]

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No.

FILED - USDC - NH
2024 DEC 27 AM 1:50

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) John Formella
 was received by me on (date) 12/27/24.

☐ I personally served the summons on the individual at (place) _____
 on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Christopher Bond, who is
 designated by law to accept service of process on behalf of (name of organization) State of NH
 on (date) 12/27/24; or

☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 12/27/24

Russan Chester
 Server's signature

Russan Chester
 Printed name and title

34 John Goffe Dr, Bedford, NH
 Server's address 03110

Additional information regarding attempted service, etc:

Print

Save As...

Reset

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICEFILED - USDC - NH
2024 DEC 27 11:50

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) 72 John Doe's
 was received by me on (date) 12/27/24.

☐ I personally served the summons on the individual at (place) _____
 on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Christopher Bond, who is
 designated by law to accept service of process on behalf of (name of organization) State of NH
 on (date) _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 12/27/24

Russan Chester
 Server's signature

Russan Chester
 Printed name and title

34 John Goffe Dr
Bedford, NH 03110
 Server's address

Additional information regarding attempted service, etc:

Case 1:24-cv-00331-LM-TSM Document 3 Filed 10/25/24 Page 2 of 8

FILED - USDC - NH
 2024 DEC 27 PM 1:50
 AO-440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) Charles O'Leary
 was received by me on (date) 12/27/24.

☐ I personally served the summons on the individual at (place) _____
 on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Christopher Bond, who is
 designated by law to accept service of process on behalf of (name of organization) State of NH
 on (date) 12/27/24; or

☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 12/27/24

Russan Chester
 Server's signature

Russan Chester
 Printed name and title

34 John Goffe Dr
Bedford, NH 03110
 Server's address

Additional information regarding attempted service, etc:

Print

Save As...

Reset